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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,338	09/02/2003	Kenji Morita	8048-1030	1626

466 7590 05/03/2007
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EXAMINER

WENDMAGEGN, GIRUMSEW

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/652,338

Applicant(s)

MORITA ET AL.

Examiner

Girumsew Wendmagegn

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/30/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim1-11 is rejected under 35 U.S.C. 102(b) as being anticipated by Sturgeon et al (Patent Number US 6,064,385).

Regarding claim1 and 10-11, Sturgeon et al (hereinafter Sturgeon) anticipates an information reproducing apparatus for reproducing contents information comprising: a menu displaying device for displaying a menu including selectable setting information relating to a reproduction of the contents information (see figure4 element 418); an operating device for an input operation (see figure3 element 325); an retaining device for retaining, as input operation information, information to identify the input operation to select or set the selectable setting information included in the menu(see figure4 element 406); and an automatic input operating device for executing automatically the input operation to select or set the selectable setting information, on the basis of the input operation information that the retaining device retains(see figure4 and column7 line36-40).

Regarding claim2, Sturgeon anticipates the information reproducing apparatus according to claim1, further comprising a menu display recognizing device for recognizing a fact that the menu displaying device displays the menu, wherein the retaining device records, as input operation information, information to identify the input operation that is given when the menu display recognizing device recognizes the fact that the menu displaying device displays the menu (see figure4 element 404 and column7 line36-40).

Regarding claim3, Sturgeon anticipates the information reproducing apparatus according to claim1, further comprising a menu display recognizing device for recognizing a fact that the menu displaying device displays the menu, wherein the automatic input operating device executes automatically the input operation, when the menu display-recognizing device recognizes the fact that the menu-displaying device displays the menu (see figure4 element 404 and column8 line50-59).

Regarding claim4, Sturgeon anticipates The information reproducing apparatus according to claim1, wherein the operating device includes an input operating mechanism for the input operation, and the retaining device retains, as the input operation information, both of information to identify the input operating mechanism used for the input operation and information to indicate a condition of the input operation (see figure2 element 228 and figure3 element 325).

Regarding claim5, Sturgeon anticipates the information reproducing apparatus according to claim1, wherein the operating device includes an output device for outputting an operating command corresponding to the input operation, and the retaining device retains, as the input operation information, the operating command that is outputted from the output device (see figure4 RCSP provides remote control messages to a message window).

Regarding claim6, Sturgeon anticipates the information reproducing apparatus according to claim 1, wherein the menu displaying device includes a display with a displaying screen (see figure3 display monitor); and a button indicating device for indicating each button corresponding to the selectable setting information at certain points on the displaying screen of the display, and the retaining device retains, as the input operation information, both of information to identify the button corresponding to the selectable setting information that is selected or set through the input operation via the input device and information to indicate the button status at the input operation(see figure 5A and 5B and column8 line50-59).

Regarding claim7, Sturgeon anticipates the information reproducing apparatus according to claim1, wherein the retaining device retains, as the input operation information, information to indicate directly the selectable setting information that is selected or set through the input operation via the input device (see column3 line65-column4 line1-19).

Regarding claim8, Sturgeon anticipates the information reproducing apparatus according to claim 1, wherein the retaining device retains, as the input operation information, an executing command assigned to the selectable setting information that is selected or set through the input operation via the input device (see column7 line 26-39).

Regarding claim9, Sturgeon anticipates the information reproducing apparatus according to claim 1, further comprising a reading device for reading the contents information from a recording medium to reproduce the contents information recorded in the recording medium, wherein the retaining device retains, in addition to the input operation information, recording-medium-identifying information to identify the recording medium on which the input operation in relation to the input operation information is performed (see figure5 element 502).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to optical disc reproducing apparatus: US 6,429,879 and 6,493,506.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is

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571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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